

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JEAN C. BRANNOCK,)	
)	
Plaintiff,)	
)	
v.)	1:04CV00697
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

On April 27, 2006, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Within the time limitation set forth in the statute, the Defendant objected to the Recommendation. The Court has reviewed the portions of the Recommendation to which objection was made and has made a *de novo* determination that is in accord with the Magistrate Judge's report.

Therefore, it is ORDERED that plaintiff's motion for judgment reversing the Commissioner [Doc. # 9] is GRANTED, that defendant's motion for judgment on the pleadings [Doc. # 13] is DENIED, and that this action is hereby remanded for further proceedings consistent with the Recommendation.

This the 2nd day of October, 2007.

/s/ N. Carlton Tilley, Jr.
United States District Judge